



Express Mailing Label No. EV 097 156 785 US

PATENT APPLICATION

Docket: 14113.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Richard S. Ohran

Serial No.: 09/997,643

Confirmation No.: 7417

Filed: November 29, 2001

For: PRESERVING A SNAPSHOT OF SELECTED
DATA OF A MASS STORAGE SYSTEM

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JUN 23 2003

Technology Center 2100

CERTIFICATE OF EXPRESS MAILING UNDER 37 C.F.R. § 1.10

"Express Mail" Mailing Label No.: EV 097 156 785 US

I hereby certify that the following documents are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 in an envelope addressed to: Commissioner for Patents, Alexandria, VA 22313-1450, on this 18 day of June, 2003:

- Transmittal (2 pgs., in duplicate)
- Petition to Correct Inventorship under 37 C.F.R. 1.48(a) (2 pgs.)
- Certificate Under 37 C.F.R. §3.73(b) with Two Assignments (8 pgs.)
- Statement of Current Named Inventor (1 pg.)
- Statement of Inventor Being Added (1 pg.)
- Consent of Assignee to Correction of Inventorship (1 pg.)
- Declaration, Power of Attorney, and Petition (3 pgs.)
- PTO Form 2038 in the amount of \$130.00 (1 pg.)
- Postcard

Respectfully submitted,

R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685

WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

RBI:drb

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EXPRESS MAIL LABEL NO.: EV 097 156 785 US

PATENT APPLICATION

Docket: 14113.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard S. Ohran

Serial No.: 09/997,643

Filed: November 29, 2001

For: PRESERVING A SNAPSHOT OF SELECTED
DATA OF A MASS STORAGE SYSTEM

Examiner: Unassigned

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) Art Unit
) 2185
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PETITION FOR CORRECTION OF INVENTORSHIP

Technology Center 2100

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 C.F.R. § 1.48(a), Applicants respectfully request that the above-identified application be amended to add the following inventor:

Name: Michael R. Ohran
Address: 109 South 200 East
Orem, Utah 84097
Citizenship: United States of America

Please include the above-named inventor as a joint inventor along with the originally named inventor.

Enclosed with this petition, please find:

06/20/2003 WABRHAH1 00000019 09997643

01 FC:1460

130.00 DP

(1) A statement from Michael R. Ohran that the inventorship error occurred without any deceptive intention on his part;

(2) A statement from the currently named inventor, Richard S. Ohran, agreeing to the change of inventorship;

(3) A statement from the assignee, Legato Systems, Inc, agreeing to the change of inventorship; and

(4) PTO Form 2038 in the amount of \$170.00 as set forth in 37 C.F.R. § 1.17(i). The fee includes \$130.00 for the petition and \$40.00 for the recordal of the assignment. The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Petition to Deposit Account No. 23-3178. Duplicate copies of this sheet are enclosed.

Dated this 18 day of June, 2003.

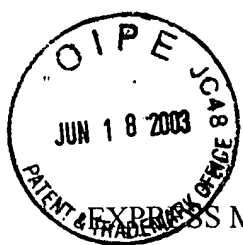
Respectfully submitted,



R. BURNS ISRAELSEN
Attorney for Applicant
Registration No. 42,685

RBI:drb

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US MAIL LABEL NO.: EV 097 156 785 US

PATENT APPLICATION
Docket No. 14113.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Richard S. Ohran

Serial No.: 09/997,643

Filed: November 29, 2001

Title: PRESERVING A SNAPSHOT OF
SELECTED DATA OF A MASS
STORAGE SYSTEM

Examiner: Unassigned

Group Art Unit: 2185

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CERTIFICATE UNDER 37 C.F.R. § 3.73 (b)

Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Assignee Legato Systems, Inc., a Delaware Corporation having a place of business at 2350 El Camino Real, Mountain View, California 94040, in accordance with 37 C.F.R. § 3.73(b), certifies that it is the Assignee of the entire right, title and interest in the patent identified above by virtue of the chain of title from the inventors of the patent identified above, to the current assignee as shown below:

1. By Assignment from inventor Richard Ohran to Legato Systems, Inc.. A copy of the assignment dated November 21, 2001, is attached.
2. By Assignment from inventor Michael R. Ohran to Legato Systems, Inc. A copy of the assignment dated January 15, 2003 is attached.

Patent Application No.: 09/997,643


Filed: November 29, 2001

The undersigned has reviewed all the documents in the chain of title of the patent identified above and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above.

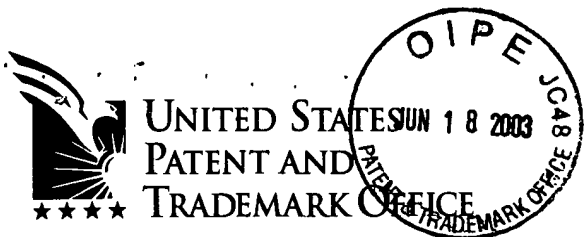
The undersigned (whose title is supplied below) is empowered to sign this certificate on behalf of the assignee.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful, false statements may jeopardize the validity of the patent.

Dated: April 14, 2003.

Signature: 
Theodore Chen
Director of Intellectual Property
Legato Systems, Inc.

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DOCKETED
Atty Isa File # 14113.79
By BH On 2-11-02
Action Verify correct filing date
Response Due

JANUARY 30, 2002

PTAS

Chief Financial Officer and Chief Administrative Officer
Washington, DC 20231
www.uspto.gov

WORKMAN, NYDEGGER & SEELEY
R. BURNS ISRAELSEN
1000 EAGLE GATE TOWER
60 EAST SOUTH TEMPLE
SALT LAKE CITY, UT 84111



101910751A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

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PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 11/28/2001

REEL/FRAME: 012345/0496
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

OHRAN, RICHARD S.

DOC DATE: 11/21/2001

ASSIGNEE:

LEGATO SYSTEMS, INC.
2350 EL CAMINO REAL
MOUNTAIN VIEW, CALIFORNIA 94040

SERIAL NUMBER: 09997643

PATENT NUMBER:

FILING DATE: 11/28/2001

ISSUE DATE:

Docketed 11/29/01

JOANN STEWART, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS



12-10-2001



101910751

Docket No.: 14113.79

SHEET

U.S. DEPARTMENT OF COMMERCE

Patent and Trademark Office

Y

Tab settings → → →

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies):

Richard S. Ohren

11/28/01

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

2. Name and address of receiving party(ies):

Name: Legato Systems, Inc.

Internal Address:

Street Address: 2350 El Camino Real

City: Mountain View State: CA ZIP: 94040

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

- ☒ Assignment ☐ Merger
☐ Security Agreement ☐ Change of Name
☐ Other

Execution Date: November 21, 2001

4. Application number(s) or patent numbers(s):

If this document is being filed together with a new application, the execution date of the application is: November 29, 2001

A. Patent Application No.(s)

B. Patent No.(s)

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Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: R. Burns Israelsen

Internal Address: WORKMAN, NYDEGGER & SEELEY

Street Address: 1000 Eagle Gate Tower

60 East South Temple

City: Salt Lake City State: UT ZIP: 84111

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41): \$ 40.00

☒ Enclosed - Any excess or insufficiency should be credited or debited to deposit account

☐ Authorized to be charged to deposit account

8. Deposit account number:

23-3178

(Attach duplicate copy of this page if paying by deposit account)

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

R. Burns Israelsen

R. Burns Israelsen

November 29, 2001

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and document:

3

WHEN RECORDED RETURN TO:

PATENT APPLICATION

Docket No: 14113.79

Workman, Nydegger & Seeley
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Express Mail Label No. EL 813 290 952 US

ASSIGNMENT

I, Richard S. Ohran of 520 Arrowhead Trail, #823, Henderson, Nevada 89015, have invented a method and apparatus entitled "**PRESERVING A SNAPSHOT OF SELECTED DATA OF A MASS STORAGE SYSTEM**", hereinafter called the "invention."

Preferred embodiments of said invention are disclosed in a United States patent application executed concurrently herewith by me and now identified as File No. 14113.79 of the law firm of Workman, Nydegger & Seeley, 1000 Eagle Gate Tower, 60 East South Temple, Salt Lake City, Utah 84111, and filed in the United States Patent and Trademark Office as Serial No.

09/976,643 on November 29, 2001 (I hereby authorize the attorneys of Workman, Nydegger & Seeley to insert said serial number and filing date when known.)

The Assignee, Legato Systems, Inc., a corporation of the State of Delaware, having a principal place of business at 2350 El Camino Real, Mountain View, California 94040, desires to secure the entire right, title and interest in said invention.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to me by the Assignee, the receipt and sufficiency of which I hereby acknowledge, I HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in said invention in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and Foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

I hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behalf of the said Assignee, its successors, assigns and legal representatives.


I hereby agree, without further consideration and without expense to me, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of me to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

Cooperation to the best of my ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

This assignment and agreement shall be binding upon my heirs and legal representatives.

DATED this 21st day of November 2001.



Richard S. Ohran

WHEN RECORDED RETURN TO:

PATENT APPLICATION

Docket No: 14113.79

Workman, Nydegger & Seeley
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Express Mail Label No. EV 097 156 785 US

ASSIGNMENT

I, Michael R. Ohran of 109 South 200 East, Orem, Utah 84097, am a joint inventor of a method and apparatus entitled "**PRESERVING A SNAPSHOT OF SELECTED DATA OF A MASS STORAGE SYSTEM**", hereinafter called the "invention."

Preferred embodiments of said invention are disclosed in a United States patent application now identified as File No. 14113.79 of the law firm of Workman, Nydegger & Seeley, 1000 Eagle Gate Tower, 60 East South Temple, Salt Lake City, Utah 84111, and filed in the United States Patent and Trademark Office as Serial No. 09/997,643 on November 29, 2001.

The Assignee, Legato Systems, Inc., a corporation of the State of Delaware, having a principal place of business at 2350 El Camino Real, Mountain View, California 94040, desires to secure the entire right, title and interest in said invention.

In consideration of One Dollar (\$1.00) and other good and valuable consideration paid to me by the Assignee, the receipt and sufficiency of which I hereby acknowledge, I HEREBY ASSIGN TO THE ASSIGNEE:

The entire right, title and interest in said invention in the above-identified United States patent application and in all divisions, continuations and continuations-in-part of said application, or reissues or extensions of Letters Patent or Patents granted thereon, and in all corresponding applications filed in countries foreign to the United States, and in all patents issuing thereon in the United States and Foreign countries.

The right to file foreign patent applications on said invention in its own name, wherever such right may be legally exercised, including the right to claim the benefits of the International Convention for such applications.

I hereby authorize and request the United States Commissioner of Patents and Trademarks, and such Patent Office officials in foreign countries as are duly authorized by their patent laws to issue patents, to issue any and all patents on said invention to the Assignee as the owner of the entire interest, for the sole use and behalf of the said Assignee, its successors, assigns and legal representatives.

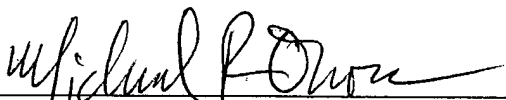
I hereby agree, without further consideration and without expense to me, to sign all lawful papers and to perform all other lawful acts which the Assignee may request of me to make this Assignment fully effective, including, by way of example but not of limitation, the following:

Prompt execution of all original, divisional, substitute, reissue, and other United States and foreign patent applications on said invention, and all lawful documents requested by the Assignee to further the prosecution of any of such patent applications.

Cooperation to the best of my ability in the execution of all lawful documents, the production of evidence, nullification, reissue, extension, or infringement proceedings involving said invention.

This assignment and agreement shall be binding upon my heirs and legal representatives.

DATED this 15TH day of JANUARY, 2003



Michael R. Ohran



EXPRESS MAIL LABEL NO. EV 097 156 785 US

PATENT APPLICATION
Docket: 14113.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard S. Ohran

Serial No.:

09/997,643

Filed:

November 29, 2001.

For:

PRESERVING A SNAPSHOT OF SELECTED
DATA OF A MASS STORAGE SYSTEM

Examiner:

Unassigned

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) Art Unit
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JUN 23 2003

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) Technology Center 2100

CONSENT OF ASSIGNEE TO CORRECTION OF INVENTORSHIP

LEGATO SYSTEMS, INC., a Delaware Corporation, having a place a business at 2350 West El Camino Real, Mountain View, California 94040, Assignee of the patent application identified above, hereby consents to the amendment thereof, to add Michael R. Ohran as a joint inventor with the originally named inventor, Richard S. Ohran.

LEGATO SYSTEMS, INC. certifies that it is the Assignee of the patent application identified above as shown in the accompanying certificate that is made in accordance with 37 C.F.R. § 3.73(b).

The undersigned has reviewed the assignment documents mentioned above and to the best of undersigned's knowledge and belief, title is to the Assignee identified above. The undersigned is empowered to sign this certificate on behalf of Assignee.

Dated this 14th day of April, 2003.

Theodore Chen
Director of Intellectual Property
LEGATO SYSTEMS, INC.

RBI:drb

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EXPRESS MAIL LABEL NO. EV 097 156 785 US

PATENT APPLICATION

Docket: 14113.79

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Richard S. Ohran

Serial No.:

09/997,643

Filed:

November 29, 2001

For:

PRESERVING A SNAPSHOT OF SELECTED
DATA OF A MASS STORAGE SYSTEM

Examiner:

Unassigned

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Technology Center 2100

STATEMENT OF CURRENT NAMED INVENTOR

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Richard S. Ohran, the current named inventor in the above-identified application,
hereby state that the error in inventorship occurred without deceptive intent on my part, and that
I agree to the change in inventorship to add Michael R. Ohran as a listed inventor in the above-
identified patent application, and have no disagreement with regard to the requested change.

Dated this 22 day of March, 2003.

Richard S. Ohran

RBI:drb

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Docket: 14113.79

In re application of

Richard S. Ohran

Serial No.: 09/997,643

Filed: November 29, 2001

For: PRESERVING A SNAPSHOT OF SELECTED
DATA OF A MASS STORAGE SYSTEM

Examiner: Unassigned

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STATEMENT OF INVENTOR BEING ADDED


Technology Center 2100

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

I, Michael R. Ohran, hereby state that I was a joint inventor in the above-identified application and that the error in inventorship occurred without deceptive intent on my part.

Dated this 15TH day of January, 2003.


Michael R. Ohran



EXPRESS MAIL LABEL NO. EV 097 156 785 US

PATENT APPLICATION
Docket No: 14113.79

DECLARATION, POWER OF ATTORNEY AND PETITION

We,

- (1) Name: Richard S. Ohran
Address: 520 Arrowhead Trail, #823
Henderson, Nevada 89015
Citizenship: United States of America
- (2) Name: Michael R. Ohran
Address: 109 South 200 East
Orem, Utah 84097
Citizenship: United States of America

declare: that our citizenship, residence addresses and post office addresses are as set forth above; that we verily believe we are the original, first, and joint inventors of the subject matter of the invention or discovery entitled PRESERVING A SNAPSHOT OF SELECTED DATA OF A MASS STORAGE SYSTEM, for which a patent is sought and which is described and claimed in the application which was filed in the United States Patent and Trademark Office as Serial No. 09/997,643 on November 29, 2001; that we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to herein; and that we agree to disclose information which is material to the examination of this application in accordance with Section 1.56(a) of Title 37 of the Code of Federal Regulations.

We declare further that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

Code and that such willful, false statements may jeopardize the validity of the application or any patent issuing thereon.

We hereby appoint as our attorneys and/or patent agents all attorneys and/or patent agents listed under the following Customer Number, with full power of substitution and revocation, to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:



022913

PATENT TRADEMARK OFFICE

All correspondence and telephonic communications should be directed to:

R. Burns Israelsen
WORKMAN, NYDEGGER & SEELEY
1000 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Wherefore, we pray that Letters Patent be granted to us for the invention or discovery described and claimed in the foregoing specification and claims, declaration, power of attorney, and this petition.

Signed at Provo, UTAH, this 15th day of
(city) (state)
JANUARY, 2003.
(month)

Inventor: [Signature]
Richard S. Ohran
520 Arrowhead Trail, #823
Henderson, Nevada 89015

Signed at Orem, UTAH, this 15th day of
(city) (state)
JANUARY, 2003.
(month)

Inventor: [Signature]
Michael R. Ohran
109 South 200 East
Orem, Utah 84097